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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

China Energy Corporation
Plaintiff

vs. Case No. 3:13-CV-562-MMD-VPC

Alan Hill, et al
Defendants

Elena Sammons
Michael Sammons
Third-party Plaintiffs

vs.

COR Clearing, LLC
Third-Party Defendant

**Reply to COR's Response to Motion to Dismiss
First Amended Third Party Complaint
as Moot and For Lack of Jurisdiction**

Comes the Third Party Plaintiff Michael Sammons ("Sammons") and would reply to Third-Party Defendant COR Clearing, LLC's ("COR") response to the motion to dismiss as follows:

COR seeks dismissal “with prejudice” while agreeing with Sammons that, because there is no longer a “potential loss” to be transferred from Sammons to COR, FRCP Rule 14 jurisdiction for the third-party complaint no longer exists.

Dismissal “with prejudice” would be improper. Dismissal for lack of subject matter jurisdiction, as in this case, is not considered a final judgment on the merits as is necessary for a dismissal “with prejudice.”

Respectfully submitted,



Michael Sammons, pro se

Certificate of Service

I hereby certify that a true and correct copy of the foregoing was mailed or emailed to all parties this the 23 day of Dec, 2014


Michael Sammons, pro se